

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 0:22-cv-61192-WPD

SCILEX PHARMACEUTICALS, INC.,
ITOCHU CHEMICAL FRONTIER CORP.,
AND OISHI KOSEIDO CO., LTD.,

Plaintiffs,

v.

AVEVA DRUG DELIVERY SYSTEMS, INC.,

Defendant.


ORDER GRANTING
JOINT MOTION TO MODIFY CERTAIN PRETRIAL DEADLINES

THIS CAUSE, having come before the Court upon the Parties' Joint Motion to Modify Certain Pretrial Deadlines [DE 109/110/113], and this Court having considered the Joint Motion and all other relevant factors, it is hereby **ORDERED AND ADJUDGED** as follows:

The Joint Motion [DE 109/110/113] is **GRANTED**. Certain pretrial deadlines, previously set forth in the Court's Order Setting Civil Trial Date, Pretrial Deadlines, and Referral to Magistrate Judge ("Scheduling Order") [DE 41], the Parties' Joint Scheduling Report and Proposed Case Management Plan ("Case Management Plan") [DE 38], and the Court's May 4, 2023 Order [DE 98] are modified as set forth in the table below:

Event	Current Deadline	Proposed Amended Deadline
Scilex Amended Opening Expert Reports on Infringement	N/A	Within fourteen (14) days of Aveva's production of its response to the FDA deficiency letter, the parties will submit a proposed modified case schedule that permits Scilex to serve amended opening expert reports on the issue of infringement, and establishes new dates for both Parties' rebuttal report(s); reply report(s); and the close of expert discovery.
Rebuttal Expert Reports	August 18, 2023	Stayed. Within fourteen (14) days of Aveva's production of its response to the FDA deficiency letter, the parties will submit a proposed modified case schedule that permits Scilex to serve amended opening expert reports on the issue of infringement, and establishes new dates for both Parties' rebuttal report(s); reply report(s); and the close of expert discovery.
Reply Expert Reports	September 15, 2023	Stayed. Within fourteen (14) days of Aveva's production of its response to the FDA deficiency letter, the parties will submit a proposed modified case schedule that permits Scilex to serve amended opening expert reports on the issue of infringement, and establishes new dates for both Parties' rebuttal report(s); reply report(s); and the close of expert discovery.
Close of Expert Discovery	October 20, 2023	Stayed. Within fourteen (14) days of Aveva's production of its response to the FDA deficiency letter, the parties will submit a proposed modified case schedule that permits Scilex to serve amended opening expert reports on the issue of infringement, and establishes new dates for both Parties' rebuttal report(s); reply report(s); and the close of expert discovery.
Substantive Pretrial Motions (Summary Judgment)	November 13, 2023	The Parties agree to forego summary judgment briefing, and the corresponding deadline is stricken

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida,
this 22nd day of August, 2023.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:
Counsel of record